



Oregon

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March 9, 2005

Bruce Allen
Portland Development Commission
222 NW Fifth Avenue
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Re: No Further Action
Lot 4, Union Station-Parcel B South
ECSI #1885

Bruce:

DEQ is pleased to conclude that remedial activities have been successfully completed at Lot 4 of the Union Station-Parcel B South site ("The Yards at Union Station"). Lot 4 is one of three lots (3, 4, and 5) comprising the subject site, at which environmental work has been performed since 1997 with DEQ oversight. The 1996 Record of Decision (ROD) for the entire site required site-wide capping, and limited soil excavation in Lots 4 and 5. Following the completion of capping performed during the development of residential housing, DEQ issued a no further action (NFA) letter for Lot 3 in November 2000. Capping on Lot 5 is expected to begin in 2005 concurrent with development of additional residential housing. The remedy selected for Lot 4 in DEQ's 1996 ROD is as follows:

- Excavate approximately 4,200 cubic yards of petroleum hydrocarbon- contaminated soil located in the B-11 Area. Unsaturated soil containing elevated petroleum hydrocarbons (TPH) is to be excavated and transported off-site for landfill disposal, and the excavation will be filled with clean soil or other materials meeting DEQ approval.
- Leave remaining soil, all of which is contaminated with polynuclear aromatic hydrocarbons and a portion of which is contaminated with lead and arsenic, in place.
- Following excavation activities, cap the site with clean fill. Asphalt or concrete may be substituted for a portion of the clean fill cover. A demarcation layer consisting of a geotextile fabric or gravel will also be required.
- Develop a plan for long-term maintenance of the cap and place deed restrictions on the site regarding future use.

Excavation of B-11 Area contamination was performed in 1997 during which 3,200 tons of TPH-contaminated soil were excavated and transported to Hillsboro Landfill for disposal. Lot 4 capping was begun in 1998 concurrent with construction of the residential housing units on the site. Phase B construction consisted of a parking structure and housing units B-1 to B-3 and was completed between 1998 and 2000. The remainder of Lot 4 capping was performed during Phase S construction in 2001 and 2002, during which residential units S-1 to S-3 were erected. Consistent with the 1996 ROD and 1998 Remedial Action Work Plan approved by DEQ, the site cap consists of: 2 feet of clean fill in landscaped

areas; a combined 10 inches of concrete and underlying granular base beneath site buildings; and a combined 10 inches of asphalt and granular base in hardscape areas including site roadways. A geotextile demarcation layer immediately overlies contaminated soil in both the landscape and hardscape areas.

As stipulated in the ROD, deed restriction (Easement and Equitable Servitude or EES) documents have been filed with Multnomah County for both the Phase B and S developments/parcels now comprising Lot 4. The EES documents were filed in December 2003 (Phase B) and December 2004 (Phase S), respectively, and outline the nature of remaining contamination, cap construction, and responsibilities of the property owner regarding inspection and maintenance of the site cap.

DEQ has determined that no further action is required for Lot 4 under Oregon Environmental Cleanup Law, ORS 465.200 et seq. unless additional information becomes available in the future which warrants further investigation. Public notice of DEQ's proposed NFA determination was published in February 2005 and a 30-day comment period provided. No comment was received.

DEQ's no further action is contingent upon maintenance of the site cap. The two EES document recorded with the property deed explain items including the cap maintenance and reporting requirements, DEQ's right of entry, and DEQ notification requirements in the event that site ownership or zoning/use changes. We understand that cap inspection and maintenance will be the responsibility of GSL Properties. Annual inspection of both the Phase B and S developments should begin in April 2005. Cap inspection reports should be submitted to DEQ within 30 days of completion of the inspection activities. GSL should become familiar with inspection and maintenance requirements for the cap as outlined in Appendix D of the Lot 4 Final Closure Report (AMEC, June 2003).

We will update DEQ's Environmental Cleanup Site Information (ECSI) database to reflect the no further action determination. Note that DEQ's NFA determination will be identified as conditional as engineering and institutional controls are necessary for the remedy to remain effective. The site will remain on DEQ's Confirmed Release List and Inventory of Hazardous Substance Sites for the same reason.

If you have any questions, please contact Daniel Hafley at 229-5417. Thank you for your participation in the Voluntary Cleanup Program.

Sincerely,



Dick Pedersen
Northwest Region Administrator

cc: Dan Hafley, C&LW DEQ
Robert Van Vickie, PDC
Len Farr, AGRA

Melora Banker, GSL Properties
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*Bruce,
Thank you
so much for all
the work PDC did
to make this
project a success
- Dick*

